

SECOND REGULAR SESSION

# SENATE BILL NO. 937

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SHOEMYER.

Read 1st time January 14, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

4094S.04I

## AN ACT

To repeal section 301.055, RSMo, and to enact in lieu thereof two new sections relating to the operation of utility vehicles, with penalty provisions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 301.055, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 301.055 and 304.036, to read as follows:

301.055. The annual registration fee for motor vehicles other than commercial motor vehicles is:

3	Less than 12 horsepower .....	\$18.00
4	12 horsepower and less than 24 horsepower .....	21.00
5	24 horsepower and less than 36 horsepower .....	24.00
6	36 horsepower and less than 48 horsepower .....	33.00
7	48 horsepower and less than 60 horsepower .....	39.00
8	60 horsepower and less than 72 horsepower .....	45.00
9	72 horsepower and more .....	51.00
10	Motorcycles .....	8.50
11	Motortricycles .....	10.00
12	<b>Utility vehicles, as defined in section 304.036, RSMo, .....</b>	<b>15.00</b>

**304.036. 1. Beginning January 1, 2009, utility vehicles may be operated upon any highway within this state except interstate highways. Any person who operates a utility vehicle on an interstate shall, upon conviction, be guilty of a class C misdemeanor.**

**2. Operators of utility vehicles shall comply with the traffic regulations of this chapter and shall observe all state traffic laws and local ordinances regarding the rules of the road. Every person**

8 operating a utility vehicle shall be granted all the rights and shall be  
9 subject to all the duties applicable to the driver of any other motor  
10 vehicle except as to the special regulations in this section and except  
11 as to those provisions which by their nature can have no application.

12 3. Each person operating a utility vehicle on a highway in this  
13 state shall possess a valid driver's license issued pursuant to chapter  
14 302, RSMo.

15 4. Utility vehicles shall be treated in the same manner as motor  
16 vehicles, pursuant to chapter 301, for the purposes of transfer, titling,  
17 perfection of liens and encumbrances, and the collection of all taxes,  
18 fees, and other charges. Any utility vehicle which is to be operated  
19 upon the highways of this state shall be registered with the department  
20 of revenue. Application for registration shall be made to the  
21 department of revenue on a form as the director shall prescribe, which  
22 shall contain a complete description of the utility vehicle, the name and  
23 address of the owner of the utility vehicle, and any other information  
24 the director shall require by rule.

25 5. A utility vehicle shall be exempt from the requirements of  
26 sections 307.350 to 307.402, RSMo, for purposes of titling and  
27 registration.

28 6. A utility vehicle shall be exempt from the requirements of  
29 sections 643.300 to 643.355, RSMo, for the purposes of titling and  
30 registration.

31 7. Every operator of a utility vehicle shall maintain financial  
32 responsibility on such vehicle in a manner consistent with chapter 303,  
33 RSMo.

34 8. As used in this section, "utility vehicle" means any motorized  
35 vehicle not originally manufactured for distribution in the United  
36 States or for highway use within the United States, which is sixty-three  
37 inches or less in width, with an unladen dry weight of one thousand  
38 nine hundred pounds or less, traveling on four or six wheels, excluding  
39 all-terrain vehicles.

40 9. The director of the department of revenue is authorized to  
41 promulgate rules and regulations to effectuate the provisions of this  
42 section pertaining to the registration and titling of utility  
43 vehicles. Any rule or portion of a rule, as that term is defined in  
44 section 536.010, RSMo, that is created under the authority delegated in

45 this section shall become effective only if it complies with and is  
46 subject to all of the provisions of chapter 536, RSMo, and, if applicable,  
47 section 536.028, RSMo. This section and chapter 536, RSMo, are  
48 nonseverable and if any of the powers vested with the general assembly  
49 pursuant to chapter 536, RSMo, to review, to delay the effective date,  
50 or to disapprove and annul a rule are subsequently held  
51 unconstitutional, then the grant of rulemaking authority and any rule  
52 proposed or adopted after August 28, 2008, shall be invalid and void.

Unofficial

Bill

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